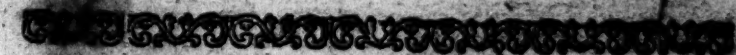


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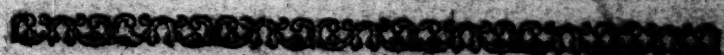
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T O
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ADDRESS

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THE WORSHIPFUL THE

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T H E

S H E R I F F S, C O M M O N S, C I T I Z E N S

A N D

F R E E H O L D E R S O F D U B L I N,

R E L A T I N G T O T H E

I n t e n d e d A u g m e n t a t i o n o f t h e M i l i t a r y F o r c e

I N T H E

K I N G D O M O F I R E L A N D.

By CHARLES LUCAS, Esq. K
MEMBER OF PARLIAMENT.

D U B L I N P R I N T E D:
L O N D O N R E P R I N T E D F O R G. K E A R S L Y,
at N^o 1, in Ludgate-Street, 1768.

ADDRESSES

ANT ILLAROMON THOIE ANT

L O R D M A Y O R

3417 1919192201117

BOARD OF ALDERMEN.

SPERILIONS. CITIZENS



THEEHOOLDERS OF DUBLIN

NOT TO BE RELEASED

Approved August 1964

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KINGDOM OF IRELAND.

BY CHARLES F. UCAS, Esq.

THE NATIONAL ARCHIVES

DEPT. OF THE ARMY

BOUND ONE REPRINTED FOR G. K. EARLEY.

SA 1 10712-32 SA 1 10712

TO THE RIGHT HONORABLE THE
LORD MAYOR,
THE WORSHIPFUL THE
BOARD OF ALDERMEN,
THE
SHERIFFS, COMMONS, CITIZENS
AND
FREEHOLDERS OF DUBLIN.

MY LORD MAYOR, and You, my much honored
and beloved FELLOW-CITIZENS and CONSTI-
TUENTS!

THOUGH the many Testimonies of gracious
Indulgence and Favour, with which you have
been pleased to distinguish my Conduct, since you
honored me with one of your Seats in Parlemtent,
shew that you are too sensible and too faithful Subjects,
to be inattentive to what passes in the National Coun-
cil; yet, I think it incumbent upon me to give you a
more particular Account of my Stewardship, and to
call upon you for further Advice and Instruction,
upon a most weighty and interesting Occasion.

B

In

In a former Application of this Kind §, I thought it necessary to recur to a very Ancient and Fundamental, but too much neglected, Principle of Parliamentary Polity, the Duty of Members, to inform and consult their Constituents, upon any new Demand made, or any new Matter introduced, in Parlemtent, and not to procede to a Determination, without the Sense and Instruction of their Constituents.

Agreeable to this invariable Rule of my Duty, I gave you the earliest Notice possible of what I apprehended a new and injurious Attack upon the Constitution, in a former Session. But, from the Precipitation, with which that Matter was determined, I could not collect your Sense of the Matter, nor had you an Opportunity of giving it the just Opposition, 'till it was too late.

I find myself under the like Necessity of applying to you again, at this critical Conjuncture, and hope for better Success; as some Accidents have conspired to give us longer Time to consider our Circumstances, and to guard against the threatened Evil.

When you read the Report of a Committee of the House of Commons, appointed to enquire into the Application of the Money granted for the Support, and into the State, of the Military Establishment of the Kingdom; though that Committee had not had Time to enquire into half the Grievances and Abuses of this
Establish-

Establishment; You will find, that they make the Present appear, the most expensive and burdensome, though the least efficacious Establishment in Europe.

It will appear to You, that while the *English* Establishment is forty-seven or forty-eight Men, to a Company of Infantry, ours is but twenty-eight Men to a Company, with the same number of Officers as in *England*, that is, one Captain, one Lieutenant, one Ensign, two Serjeants, two Corporals to twenty-eight private Men and a Drummer. While, besides other Deficiencies, four of these twenty-eight, will be found but nominal or non-effective Men, whose Pay is destined to other Purposes.

It will appear, that the disproportion of Officers is still greater in the Cavalry. To each troop of Horse, there are one Captain, one Lieutenant, one Cornet, one Quarter-master and two Corporals, to twenty private Men, and one Trumpeter; of which, besides other Deficiencies, four are also nominal, what are called Respit and Warrant Men, whose Pay is destined to other Purposes.

It will also appear, that this Disproportion is still greater in the Dragoons: For, to each Troop of these, there are one Captain, one Lieutenant, one Cornet, one Quarter-master, one Serjeant, two Corporals, one Drummer, and one Hautboy, to twenty private Men; of which also, besides other Deficiencies, four are nominal onely, Warrant-men, whose Pay is destined to other Purposes; while the Hautboy is a Non-entity, whose Pay and Cloathing make some of the many Perquisites of the Colonels.

And thus our Military Establishment, calculated for twelve thousand effective Men, Officers included, though the Number in the Kingdom, in Times of the utmost Danger and Necessity, has been under half that Number, and has hardly ever been kept up to two thirds thereof, swells to the enormous Sum of nine hundred and seventy-one thousand and seven Pounds, sixteen Shillings and eleven-pence Halfpenny, that is, near a Million in the last two years accounted for to Parleмент. Let me give you a more particular View of the Expences of this Establishment, for two Years ending the 31st of *March* last, under the following several Heads:

	<i>l.</i>	<i>s.</i>	<i>d.</i>
1. General Officers, almost entirely Non-resident, so that at the Conclusion of the Peace, we had not enough to reduce the Forces, and scarcely have at any Time enough to review them, or to make a Board, unless by special Command.	57215	10	
2. Horse, Dragoons, and Foot, whose Colonels are mostly Absentees	690473	8	4
3. Warrant-men	36062		
4. Battle-Ax Guards	3783	16	8
5. Additional Pay for the Troops in <i>Dublin</i>	7527	6	4

6. Garrisons

6. Garrisons, with their Incidents	7458	10	
7. Military Pensions, which never decrease	6521	3	3
8. Half-pay, hardly ever Diminished	75150	15	9½
9. Military Contingencies	6000		
10. Ordnance, with it's boundless Contingencies, &c. from Jan. 1. 1762, to Mar. 31. 1767	43007	18	7
11. Barracks	26673		
12. Widows of Officers, who rarely die	11138	8	

In all

£ 971007 16 11½

But, if You come to inquire what has been payed in the Treasury, on Account of the Military Establishment, for two Years, ending the 31st. of *March*, 1767, You will find no less a Sum charged to the Nation than £ 1002170. 14. 6. with an Arrear, unsatisfied of £ 136959. 4. 11½.

In the Year 1700, the Establishment of twelve thousand Men was kept up in twenty-five Regiments, Cavalry and Infantry included. But the present Establishment, for the like Number of Men, is composed of fourty-two Regiments, which exceeds the former, by no less than seventeen Regiments; a greater Number, by six Regiments, than was ever before kept up in this Kingdom, in Times of Peace. And this will be found one material Cause of the enormous Increase of the Expence of the present Military Establishment.

For

For the better understanding this Matter, it may be proper to state the Establishment, as it should be, if complete, and to compare it with what it really appears, from the Muster Rolls, to have been on the first of *October* 1767.

The Nation has provided for four Regiments of Horse, eight Regiments of Dragoons, and thirty Regiments of Foot.

	Com. and non Com. Officers.	Private Men.
The four Regiments of Horse } should consist of - }	184	480
The eight Regiments of Dra- } goons, consist of - }	483	1020
The thirty Regiments of } Foot, consist of - }	2273	7560
In the whole	<hr/> 2940	<hr/> 9060

So that there are 2940 Officers, Commissioned and non-Commissioned, appointed to command only 9060 private Men, which would make in the whole, if at home and complete,

12000 Men.

But if we deduct from this Number, six Regiments abroad, of 453 Officers and 1512 Men, making in the whole 1965—together with the Deficiency, upon the Muster of the Troops at Home on the first of *October* last, which was 2147 Men.

In all

4112 Men.

We shall find left at Home for the defence of the Kingdom, but - } 7888 Men.

It

It now appears, that the Expence, though not the number or efficacy of the military Establishment, has been increasing continually for several Years passed, till it has accumulated to the enormous Sum before stated.

You will find, that the next Charge of the Military Establishment, from the 31st Day of *March*, 1751, to the 31st of *March*, 1767, amounts to no less a sum than

£ 8214038 7 9

And, that the Sums payed on Account of Regiments abroad, within these Periods, amount to no less than

£ 671610 6 11 $\frac{1}{2}$

The Expences in both Instances, greatly increasing from one Session to another.

You will find, the Charge of the military Establishment, in the four Years immediately preceding the late War, reckoning from the 31st of *March*, 1751, to the same Day of *March*, 1755, amounted to the Sum of

£ 1661542 10 10 $\frac{1}{4}$

Which, upon a Medium, makes the Charge of each two Years amount to

£ 830771 5 5 $\frac{1}{4}$

And, that the Charge for the same Purposes, in the last two Years, computed from the 31st of *March*, 1765, to the 31st of *March*, 1767, amounts to the Sum of

£ 1108287 15 2 $\frac{1}{4}$

So that the Charge for the last two Years, exceeds the Charge for two Years preceding the late War, at a Medium, in the Sum of

£ 277516 9 9 $\frac{1}{2}$

Although the Number Men to be supported in each Period was the same.

You will find, that the Charge of Warrant-Men, and their Cloathing from 31st *March*, 1751, to 31st *March*,

March, 1767, amounts to no less a Sum than
 £264958 4 6½

And that, though the Charge under the Head of
 General Officers, for two Years, ending the 31st of
March, 1753, which was then £ 34048 18

Has in the two last Years, reckoned from the 31st of
March, 1765, to the 31st of *March*, 1767, increased
 to the Sum of £ 57215 10

That is, to an exceeding of 23161 17

Yet notwithstanding, though there are two Lieute-
 nant-Generals, and ten Major-Generals, upon this
 Establishment, it appears, from a Letter from the Earl
 of Northumberland to the Commissioners of the British
 Treasury, that those valiant Officers were of such a
 puny, delicate, sickly Frame, that they could not bear
 the Fatigues of the most peaceful Campaign in Ireland,
 nor even the Air of the Climate, and were therefore
 forced to quit the Country, for the Recovery of their
 Health, by better Air and other Means than this poor
 Kingdom afforded, and so left it in such Numbers, that
 enough could not be found to hold Boards, which are
 Councils to the Government, in Military Matters,
 or do the other Parts of the Duty of General-Officers,
 upon the Staff here, until his Majesty was pleased
 to direct, a young Nobleman and Soldier, a native of
 the Country, capable of bearing Toil, and inured to
 the Clemency of the deserted Soil and Climate, to act
 as a Major-General.

You will find, that though the Expences of Bar-
 racks have been most immense and are yearly increas-
 ing, there are large Sums charged for Lodgings for
 want of Barracks, as also for extraordinary Forage.

Necessary Attention to Brevity, obliges me to overlook several Abuses in Musters, Cheques, and Off-Reckonings; of Excesses in the Stock-Purses, &c. and the Pay of fictitious or nominal Men, as Hautbois to the Dragoons, &c. being sunk in the Pockets of the Colonels; for which, I shall refer you to the Report. But, I cannot overlook a Return made by the Muster-Master General to the House, which, though intituled, *An Account of Effective Men*, the Deputy Muster-Master General confessed, it included contingent Men, and fictitious or imaginary Hautbois. By this, it appears, there was a Deficiency, in the Number of private Men, to complete the Establishment, at the twelve last quarterly Musters therein mentioned, at a Medium of 1552 Men, including Contingent Men and Hautbois.

The full Pay of this Deficiency, if they were all Foot, would amount to no less a Sum annually than that of

£ 18882 13 4

Which for the three Years, would amount to

£ 56648 0 0

But as some of the Defective Men must be of the Cavalry, the Sum must be still more considerable.

And yet notwithstanding, it will appear, that the Amount of the Savings, for which Credit has been given to the Nation, upon the Pay of non-effective, non-commissioned Officers, and private Men, for four Years, from the 31st of *March*, 1763, no more than the Sum of

£ 4230 19

The least Difference in Prejudice of the Nation, then is no less than

} 52417 1

C

But

But this Prejudice to the Nation will appear still stronger, when it is considered, that the complete Reduction of the Forces did not take place, till the latter end of the Year 1764; that Orders were issued by Government, not to recruit the Regiments, that were to be reduced, and that the Return of the Muster-Master General shews, there were great Deficiencies in the several Regiments upon the Establishment, by the several quarterly Returns of that Officer, comprised in the former, down to the 1st of *January* 1765. The full Pay of these Vacancies, which must amount to a very considerable Sum, ought, undoubtedly, to have been charged to the Credit of the Nation, which does not appear.

It also appears, that notwithstanding the enormous Sums paid for Barracks and Lodgings, there are still Barracks for Cavalry wanting. That there are Barracks more than enough for the Foot. That the first Expence incurred for Lodgings, for want of Barracks, was in 1759, and the first Expence for extraordinary Forage, in 1762. And, what is very remarkable, these Expences rather increase, than diminish, with the apparent Deficiencies of Men to complete the Establishment.

It is not difficult to conceive the Causes of these Deficiencies: They are principally these; the Cloathing of each Regiment, however defective it may be, is paid for by the Public, as if the Regiment was complete; the removing Checques upon Vacancies of every kind, has been considered as a matter of Course;

and the Subsistence of vacant Men is applied to the Credit of the Stock-purses, and Non-effective Funds, instead of being applied to the Credit of the Nation. For further Particulars of these Funds, I refer you, for Brevity, to the Accounts annexed to the Reports.

The Committee being stinted in Time, and judging it necessary to report the Progress, they made, though unable to go fully through their Inquiry, came to the following Resolution :

Resolved, that it is the Opinion of this Committee, that an humble Address be presented to his Majesty, to lay before his Majesty the Report of the Committee, appointed to take into Consideration the Military Establishment of this Kingdom ; to acknowledge, with the warmest gratitude, his Majesty's constant Attention to the Welfare of his People ; to express the utmost Confidence in his Majesty's Wisdom, that if upon such Representation, any Reformation in the said Establishment shall appear necessary to his Majesty, such Alteration will be made therein, as will better provide for the security of the Kingdom, and at the same Time, reduce the Expence of the said Establishment, in such a manner, as may be more suitable to the Circumstances of the Nation, and to give his Majesty the strongest Assurances, that this House will upon all Occasions, to the utmost of their Abilities, support his Majesty's Government, with Honour and Dignity.

The House cheerfully agreed with their Committee. The Address was presented to his Excellency and sent to his Majesty. Yet his Ministers have thought fit, instead

of the desired or necessary Reformation, instead of such an Alteration of the Establishment, as might better provide for the Security of the Kingdom, and at the same Time to reduce the Expence of the Establishment, suitable to the Circumstances of the Nation; to require of us, poor and miserable as we are, to increase our present burdenson Establishment, to within a few Hundreds of that of Great Britain, with all its Riches and boundless Trade.

Wherever, or whenever it is apprehended, that the Sovereign proceeds upon Misinformation from his Ministers, it becomes the Duty of every loyal Subject, of every true friend to his King and Country, to give all lawful and just Opposition, by a proper Application, in some instances, to the Courts of Justice, in others to the high Court of Parliament.

It becomes my duty then, to explain to you, your present Circumstances, with respect to the Points in Question, and to demand your Judgement and Instructions for my future Conduct. I find myself the more necessitated to make this Application; because I have had the Misfortune to have had no actual Collegue or Coadjutor, since I have been honored with your Seat in Parliament, and the Matter under Consideration is too momentous for my sole Judgement, without the Assistance and Instructions of my Constituents.

By what I have already said, You may readily conceive the State and Circumstances of our present burdenson and ill managed military Establishment. I shall in the next Place, endeavour to explain to You,
the

the Nature of the Augmentation proposed and the Consequences to be apprehended from it. For the better Elucidation of which, I shall give You an Abstract of the Report of a Committee, appointed to inquire into the Rise and Progress of the Military Riot, which twice, broke open the Goal of Newgate, on the Sixth and Seventh of *August* 1765, and into the Means used for suppressing the same, and for punishing the Offenders, of which I had the Honor of being Chair-man.

From these, You will readily see, that my greatest Objection to an Increase of our Military Force is not so much the Expence and Abuse of the present Establishment, or even the almost unsurmountable Difficulty of this poor Kingdom's being able, cramped and restrained as it is, in almost every Branch of its Trade, and near a Million in Debt, to support such an Establishment; but the almost positive Certainty that an Armed Force, more than sufficient for the absolute Defence of the Kingdom, must sooner or later, after the Example of other Nations, prove Fatal to Civil Liberty.

The Method, I find myself forced to take, to oppose Measures, in my apprehension, most Dangerous and destructive, may with Persons of your delicate Sense of Loyalty, require some Apology.

To You then, my LORD and GENTLEMEN, who know my Life and Conduct and every Purpose of my Heart, I need not repete the warm and sincere Sentiments of Affection, Loyalty, Duty, and particular
Obliga-

Obligations to our most Gracious Sovereigne, which ever have and ever shall animate and distinguish my Conduct to his Majesty, regardless of the repeted ill Treatment of his Substitutes.

But though, from that Duty and Affection, which I owe his Majesty, I am ever ready to pay all just Respect and Reverence to his Ministers, and ever have concurred with them, in all Measures, that appeared to me, for the mutual Honor and Advantage of the Crown and the Subject; yet, I shall always think it my indispensible Duty to my Sovereigne, to my Country in general, and to You, MY MUCH HONORED AND BELOVED CONSTITUENTS in particular, to give all just and parlementary Opposition to such Measures, as to me appear, in any sort derogatory to the Honor of the King, or the Interest of the People, however sanctified such Measures may come under the awful, sacred Name of Majesty. Let me not be, as I have too often been, misunderstood.

No man is more sensible of the political or actual Virtues and Perfections that adorn his Majesty, than I am. No man is more thoroughly persuaded than I, that the King can do no Wrong; from the Concurrence of his Royal Disposition, with the Spirit of the Laws. And therefore, no Man more ready to pay due Obedience and Reverence to the Commands of his Majesty, issuing from the pure Emotions of his Royal Heart, than I.

But, as at the Distance, at which we are, unfortunately for us! placed from the Royal Presence, his Majesty,

Majesty, with all his natural Goodness of Heart and gracious Disposition towards his faithful People; can only act by Representation; and as his Ministers may not always be perfectly well informed of the State and Circumstances of this poor Kingdom, or possibly through Misinformation, or perhaps through mistaken Jealousy, or evil Will to this unfortunate country, may misrepresent Matters to his Majesty, and upon their mistaken or evil Advice, may possibly obtain the Sanction of his Majesty's Name to Measures as foregne to the Purposes of his patriot Heart, as to the Honor of his Crown and the Interest of his people, it becomes the Duty of every good Legislator, who is, at once, the Counselor of the Crown and the Guardian of the Rights of the Subject, to examine and weigh, with the utmost Strictness and Nicety, every Proposal of every Minister, who uses the King's Name, as a word of Office.

The Parleмент are the only competent Judges of the State and Circumstances of the Nation, and by them alone can his Majesty be properly and faithfully informed of the Condition and Exigencies of the People, and truly advised of such Measures, as may be necessary for the Security of their Freedom and Rights, from external, as well as internal Foes.

The Crown, indeed, may see threatening Dangers, long before they are apprehended by the People. And then, it becomes the Province, as well as the Duty, of Parleмент, upon proper Information, to provide for the ascertained Exigency.

Yet,

Yet, without the slightest Intimation of impending Danger, while we have every Reason to complain of the heavy burden of our present Military Establishment; while *Britain* is rather diminishing than augmenting the Military Force of the united Kingdoms; while less than Five Thousand have been deemed sufficient for our Defence, when we were at war with some of the most formidable Powers of Europe, and a Rebellion raged from *Scotland* to the Centre of *England*; while the Civil Power is found able to execute it's most rigorous decrees, without the Aid of the Military, unless where Military Men are concerned; while the most Violent and Lawless Outrages have been universally committed against the Civil Magistrate, and the Laws have been trampled under Foot, without any Reparation; while the most expensive and burdensom Establishment has been kept up since the Peace, without any visible Emergency, and while the Complaints of this Burden, with many of it's evil Consequences, were by your Representatives layed before the Throne, what Redress, what Comfort is offered to You?

His Majesty's gracious Answer to the Address of the Commons, presented with the Report of their Committee, upon the Military Establishment, *assures us, that if any Alteration in the Military Establishment of this Kingdom, shall appear to his Majesty to be necessary, his Majesty will cause such to be made, as will better provide for the Security of Ireland, and at the same Time, with due regard to the circumstances of the Kingdom.*

Thus

Thus far are we assured of his Majesty's royal and benevolent intentions towards his most loyal people of *Ireland*. And in this, we have not the most distant intimation of a necessity, or of any intention of his Majesty to augment his forces ; probably, because it could not be done, *with due regard to the circumstances of the kingdom*, already overwhelmed in debt, and deprived of it's natural and legal freedom in trade.

But while your faithful Guardians, the Commons, might have found some cause of consolation and comfort in these gracious assurances of our sovereign ; they received a message, of a very different import, from his vicegerent.

His Excellency is pleased to tell them, by one of his secretaries, that he is commanded by his Majesty to inform them, " That the public service of his Majesty's kingdoms requiring that some part of the troops kept on the establishment of *Ireland*, should be employed towards the necessary defence of his Majesty's garrisons and plantations abroad ; and that as it may be expedient, that a number of troops, not less than twelve thousand men, commissioned and non-commissioned officers included, should be kept within this kingdom, for the better defence of the same, exclusive of such regiments on this establishment, as are or may be employed in his Majesty's said garrisons and plantations ; his Majesty thinks it necessary, that his army on this establishment, should be augmented to fifteen thousand, two hundred and thirty-five men in the whole ; of which number, it is his Majesty's intention that, as far as is consistent with such a defence as the safety of both kingdoms, in case of any sudden or extraordinary emergency, may require, a number of troops, not less than twelve thousand men, commissioned and non commissioned officers included, shall be kept within this kingdom, for the better defence thereof, &c."

When you view the plan or scheme of this augmentation,

tion, you will observe the number of forces intended to make the new establishment, is to be 15,235 men.

That the sum necessary to be raised } *l. s. d.*
for this augmentation, as calculated by } 69655 15 4h
the ministry, to be no less than

And that the additional annual expence, }
by the ministry also calculated, is not to } 35961 12 6
fall short of, whatever it may exceed,

But, of the necessity of such augmentation, or of the advantages to result from it, nothing that I see conclusive or satisfactory, is offered to induce us to plunge into the enormous expence, and the apparent danger to our civil liberty.

We are, indeed, told in his Excellency's message, that, "The measure is calculated to maintain the honor and dignity of the crown, to promote the public service, and to add strength to the army."

With all due deference to his Excellency's judgement, be it said; I cannot see how any unnecessary augmentation of the number of the army, in times of profound, universal peace, can add aught to the honor or dignity of the crown, which are ever best maintained and supported by the affections of a free and loyal people. The hearts of subjects, interested in defending the king and constitution of their country, must make the most secure and permanent basis of the throne. Whereas military mercenaries have been known, in every age and nation of the world, the bane of both king and constitution.

With like deference, I cannot see how a greater number of forces, than have hitherto been found necessary in times of peace, can *promote the public service*, if I understand what public service means. My ideas of public service are to encourage and promote religion and morality, to inculcate a just reverence and observance of the laws, to establish just notions of allegiance and loyalty, to extend
and

and improve trade and agriculture, and to strengthen and secure the national constitution. How far the proposed augmentation of the military force tends to forward or impede these, judge from the conduct of armies disproportioned to the strength of the people, in other countries, as well as in *England and Ireland*.

I can, indeed, with his Excellency, well conceive, that the augmenting the number of the military must add strength to the army. But, I dread, that it will in proportion, as it has done in every other nation and age of the world, diminish the strength, weight and dignity of the civil power. And if we have found, that when our establishment has not exceeded six or seven thousand men, the authority of the civil magistrate has been spurned at, and the laws trampled under foot, even in the face of government, by the regiments appointed to guard the city; what are we to expect from an increased number, with an assurance of their being kept at home? Will the greater number prove more amenable to the laws, than the less has proved? Can contempt of magistrates, breaches of laws, and disregard to government, such as we have seen in this city, to say nothing of other more remote parts of the kingdom, tend to *maintain the honor and dignity of the crown*, or to *promote public service*? I cannot imagine it, with all the respect I bear the many real gentlemen in the army, who are interested in the honor of the crown, and the freedom and prosperity of the kingdom, on whom the safety and security of the nation may be, in a great measure, thought to depend; when by the following report, it will appear, that a greater proportion of officers to men, than is now intended, with all their might, were not able to prevent the city goal's being broke open, twice in two days successively, by the common soldiers in the barracks; though it is notorious, a number of the insurgents rendezvoused, the second day of the insurrection, in the royal square of the barracks.

So that you may see, MY LORD and GENTLEMEN, that it is not the burden of the increased establishment, I dread, though I think it will prove intolerable, as an unnecessary augmentation of an establishment, which, in it's weakest state, has been able to overturn the civil constitution, and did actually overthrow it, so late as the year 1765.

Had this daring insult to majesty, to government and laws been *fully* and *fairly* laid open, to our sovereign or his representative, as I long contended for, in vain; I cannot suppose that any minister of his Majesty would have been hardy enough to recommend the present measure. I shall therefore, lay the evidence of the facts, as I took them, fairly before you, that they may furnish you with proper arguments, and induce the king and whole legislature to yield to our loyal and just remonstrances.

I need not trouble you with recitals of the many outrages upon liberty and the laws, committed by the soldiery in other parts of this kingdom, as must be presumed, in despite of their officers: I shall only trouble you with calling to your mind, the taking one of your high sheriffs, Mr. *Donovan*, as an hostage for some riotous soldiers, taken and committed to goal by the lord-mayor; the dragging him like a criminal, by a party of soldiers, to the barrack, and keeping him there, confined, till their brother rioters were discharged, by their order, without any process of law.

It may be said, that this was done by the soldiery, in spite to their officers.—Granted. I am as unwilling to suspect officers capable of abetting, or even willfully conniving at such outrages, as any man. But if such things might be done, when there was an officer to every three or four private men; what are we to expect, when the proportion of private men, to officers, is to be greatly increased? And what reparation was made to the civil power for this abominable insult? Was any offender punished for
this

this horrid crime, by the common law ! No, not one. And are you to expect better treatment from an augmentation ? You must ask the ministers ; for you know I am not in their secrets.

But, enormous and gigantic as this outrage must appear, it is but a trifle, a pigmy, compared to the riot, of which I took down the evidence, in the committee. Let me refresh your memory with abstracts from my notes.

It was given me in evidence, that a party of soldiers, being patrolling the streets, without a civil magistrate too, on *Sunday* the fourth of *August*, 1765, one of them presented his firelock at one *Derham*, with whom he formerly had some dispute, and shot him through the mouth. So that he lost a great part of his tongue, gums and teeth, and languished in miserable circumstances, unable to earn a livelihood for himself or his family.

That this soldier was taken and committed to *Newgate*, out of which, he was rescued by a party of armed soldiers ; on the sixth day of *August*, about noon.

That, by the testimony of a person of credit and character, who was in a timber-yard of his, opposite to the royal square in the barracks, on the seventh of *August* following, it appears that he saw a great crowd of soldiers assemble in the square. That seeing no officer with them, he asked some disbanded soldiers, who worked with him as sawyers, what could be the occasion of such crowds of soldiers, without officers ? To which they answered, that the soldiers had taken a soldier out of *Newgate*, the day before, and they supposed they were going upon some such errand again. That, in about a quarter of an hour, they marched out of the barrack, and he kept his eye upon them, till the houses interposed, and soon after, he saw them again going over *Bloody Bridge*, where he observed the swords in their hands glitter in the sun, and heard them shout. — Yet all this, we must suppose, could not be, or it surely would have been, prevented

vented by the vigilance and authority of the officers, especially, as the lord mayor, so lately apprised the commanding officer, of the riot of the preceding day, and demanded the proper satisfaction and security to the abused and insulted civil power.

On the seventh of *August*, the town was alarmed, so early as nine in the morning, by parties of soldiers patrolling the town with side arms, in a riotous manner. It appears, by the testimony of credible persons about *Newgate*, as well as of the under-goaler and turnkey, that about four hundred soldiers came by *Corn-market* to the goal, with swords drawn, flourishing and shouting. That they got up to the door, and after striking at it some time, with sledges and a butcher's cleaver, they at length broke it open and discharged criminals to the number of upwards of seventy. That such as were double bolted were carried out by the soldiers, and such as were in lighter shackles, ran away. That before the door was broke open, two officers, with a party of soldiers from the main guard, used every means in their power to quell and disperse the riot, but in vain. That when the officers, with small canes or rattans, struck the riotous soldiers, these returned the blows, and at the same time made feint strokes at the guard of soldiers, which fell with the flat of their swords upon the barrels of their firelocks, and soon after both joined and chatted together in great good humor, the riotous soldiers leaning on the shoulders of the guards. That, after many fruitless attempts of the officers to relieve the goal, they were at length, forced to retire to *Corn-market*, where they stood with their men for some time, using all mild means to dissuade the rioters from their purposes, but to none effect. That, in about three quarters of an hour, they broke open the prison, and made a general goal delivery in about twenty five minutes after. That a reinforcement from other guards came, but to no purpose. And, that in about fifteen or
twenty

twenty minutes after the prisoners were discharged, a guard of foot came from the barracks.

This evidence is corroborated by that of Lieutenant *Barrington*, who upon the report of the soldiers' coming to break open the goal, on the 7th of *August*, sent a reinforcement from the main guard to that of *Newgate*. That he got, with this reinforcement, to *Newgate* about a quarter after eleven, but, that the rioters got there before him. That he got up to the door with his men, and stood upon the defensive. That he saw Captain *Powell* and Ensign *Elison* of the sixty-fourth regiment, and Lieutenants *White* and *Hamilton* of the fifty-sixth. And that they all used their utmost means to quell the riot, but to no purpose. That as the rioters grew more furious, the officers, who assisted him, were forced to yield to the multitude. And that being obliged to act only upon the defensive, having no civil magistrate to give him command, and having his few men separated from him and disarmed, he was at length forced to retire towards *Corn-market*, where he waited some time, in vain, and finding the rioters had succeeded, sent back the guard. That they had not got further than half way into *High-street*, when he saw them return, with another reinforcement from the *Castle* guard, with the high constable; to whom he told it was too late, as the goal was broke open.

Moreover, it appears, from the testimony of the turn-key of *Newgate*, that neither the goal guard without, nor the centinels within, would obey him, or give any kind of opposition to the riotous soldiers. So that, upon the whole, neither non-commissioned or commissioned officers had any kind of influence or authority in preventing or quelling this riot. And if so, when the proportion of officers to private men, is great, what can be expected, when the proportion of the private men to officers is augmented?

After the goal was broke open and the prisoners discharged, a guard, commanded from the barrack, arrived.

But

But they could do no more, than endeavour to prevent the mischief at other goals; which they effected accordingly, in concert with the lord mayor, who was told it was the opinion of one of the officers, that if his lordship had timely marched a detachment of the guard from the barrack, in pursuit of the riotous soldiers and the discharged prisoners, some of them might have been apprehended or retaken. And that, about the 8th or 9th of *August*, the officers, of their own accord, brought several of the riotous soldiers before the lord mayor at the *Tholsel*, and that examinations were offered against the offenders, and pressed by the officers to be taken and to have the criminals, for the offences against the civil power, committed to the common goal, to be dealt with agreeable to the common law; all which, his lordship declined, saying, he only acted there as a civil magistrate, to administer an oath; that as they were soldiers that were the criminals, it belonged to the officers to punish them; besides, as *Newgate* was broke open, he had no place to secure them. Nor would he commit them, though the field officers offered to enter into bonds to the extent of their fortunes, for the security of such as he should commit, against any attempt of the soldiery. And as the lord mayor would not commit them to the common goal, the officers judged it incumbent on them to commit the offenders to the martial prison.

This conduct of the chief magistrate will, no doubt, surprise you at first hearing it. But your surprise will be raised and change it's object, when, by the testimony of that very magistrate, it appears, that he acted in the whole of this extraordinary affair, by the direction of government!

This magistrate informed the committee, that he took the examinations against *Turner*, the soldier, who shot *Derham*, out of the justices office, to government; whom he was commanded to attend. That he took the examinations of some himself, and got others taken by
other

other justices, and took them, with the gaoler's calendar, and delivered them to the lords justices and council, where they were severally read, and ordered to be left. That he got all back again, except *Derham's* examination. That having heard that a soldier, committed to *Newgate* by one of the justices, had been rescued out of the goal, next morning, he went with his attendants to the barrack and resolved to have an interview with the commanding officer, who was colonel *Naper*. That he demanded that satisfaction for the extraordinary insult on the civil power, committed by the soldiers in breaking open *Newgate*. Threatened to lay open the whole affair before government, but wishing to have it in his power to make the most favourable report of the conduct of the gentlemen of the army, he expected to hear a satisfactory account of the inquiries the colonel should make by the next morning. That the colonel promising to do all in his power, the lord mayor proceeded to the Market-house. That before he had gone through the ordinary business of his office, he heard a cry, "the soldiers are coming again." That, upon looking out, he saw a large body of soldiers, to the number of about three hundred, huzzaing and crying liberty, keeping together in a distinct column, unmixed with the populace, who followed but did not join them. That enraged at this, after what had passed between him and colonel *Naper*, his indignation arose, and his first resolution was to go and oppose them, unguarded and unassisted as he was; but was dissuaded from so rash an attempt by those about him, who then were only his clerk, the high constable, and the sword-bearer. But upon recollecting the outrage of the preceding day, and the nature of his application to the commanding officer that morning, he could not consider a second appearance of the same sort, in the nature of a common or accidental mob of the rabble or populace, and that he at all times considered it

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extremely

extremely improper for a magistrate to appear in such cases, but when he had it in his power to suppress riots and outrages. That he therefore immediately determined to send for a proper force and so dispatched his clerk, with all possible expedition to the barrack, to inform the commanding officer of this second riot, and to desire immediate assistance, to prevent further mischief. That in the same instant, he directed the high constable to go with all expedition possible for the main guard, to command their attendance in *Corn-Market*. That in a few minutes after, he sent a servant to the officer of the infirmary guard in *St. James's-street*, desiring his assistance also. That his idea was that if these several guards came timely to his aid, he might set himself at their head and hem in the rioters, till sufficient force might come from the barrack to retrieve the goal. That having dispatched these several messengers, he waited with impatience for some of the required assistance. But having received no intimation of the arrival of any of the guards, till about a quarter of an hour after the goal was broke open, and the assistance which then came being not above six or seven men and a serjeant, who had met the riotous soldiers at the upper end of *James's-street*, going, as they were informed, towards *Kilmainham*, that he then thought it was to no purpose, with so small force to attempt, the pursuit of the numerous rioters, and therefore judged it most expedient, to wait for the expected reinforcement from the barrack, which accordingly arrived, in about twenty minutes after. And upon the first intimation of their arrival, he directly went down to them and found them drawn up in *Cut-purse-row* and under *Newgate*, when he was addressed by the officers, and called to for orders. His answer was, that he was now at a loss what answer to give, as the mischief was already done, and that by a body of armed soldiers. And therefore renewed the request he had before made to colonel *Naper*, that they should immediately

ately take such measures, as the rules and discipline of the army should point out as the most effectual for the discovering and apprehending the persons who had been concerned in the riot on the preceding day, as well as this. And as they consisted of great numbers, it could not be difficult to lay hold on a sufficient number for punishment and example. That a report prevailing, that the rioters intended to break open the county goal and other gaols in the city, it was properly proposed by the officers that a guard should be dispatched with an officer to *Kilmainham*, in order to prevent the intended mischief there, and then directed another guard, for the defence of the *Four-Court-Marshallsea*, and a third, under the command of a justice of peace of the county, into the liberty, in order to endeavour the recovery of some of the prisoners who had been turned out of goal. After these dispositions, he resolved to lay those transactions before government, and went to the Lord Chancellor's country seat for the purpose. That a council was called the next day, which the Lord Mayor was ordered to attend, when he laid the several examinations, and all other information he could, before the Board. That Colonels *Naper* and *Barlow* were called in, to whom government expressed their horror of the riot, and the crimes of the soldiers, and intimated the necessity of setting an enquiry on foot to discover the offenders. And as the officers intimated the necessity of being assisted by a civil magistrate, he offered his services, and the next day was appointed, at the *Tholsel*, for the purpose.

That a great number of officers appeared there, and brought thither a number of soldiers, charged with being concerned in the riots. That finding the number so great that he conceived it impossible to reduce their testimony to separate examinations, he directed his clerk to take down heads of examinations, and got each to sign his own examination, and he signed it after them. That seven persons were particularly accused, and set apart as prisoners.

That upon the officers desiring to know how he would have the prisoners disposed of, he answered, that in the present defenceless state of the broken goal, the goaler and turnkey under dreadful apprehensions, and the under goaler lying ill of a wound, and when the two outrages that had been so lately committed were occasioned by the confinement of one soldier only, he thought he could not in justice, and consistent with the peace and safety of the city, commit seven soldiers to that goal under such circumstances, and that he apprehended it would prove another invitation to the soldiers to commit a new outrage ; and therefore recommended it to the officers to commit the offenders to the Provost marshal's, until the pleasure of government should be known. That this was agreed to by the officers, and the rioters were conducted to that prison, under a guard commanded by one of the sheriffs. That the officers upon the enquiry expressed their resentment, and desired to have the offenders punished. That the evening following he communicated all that passed to government, he judged it his duty to wait their deliberations, and in the event found, their resolutions were to have those men tried and punished by a Court-martial, as the likeliest to inflict capital punishment on such extraordinary offenders. But finding the expectations of the public disappointed by the sentence of the court-martial, he redoubled his attention and endeavours to discover some others of the disorderly soldiers, in order to bring them to trial and punishment at common law, that the public might have the satisfaction of having the offenders tried by both laws. And having heard of one *Campbell* a soldier, who could give information against one *Whiterose* and one *Conway*, as rioters, he wrote a letter to the commanding officer at the Barrack, requiring the aforesaid three persons to be sent to him for the purpose. *Campbell* being sent, and his examinations taken against the other two,

he sent one of the sheriffs to demand the offenders, who were given up and committed to Newgate, while the examinant was secured in the Black Dog prison. That having also communicated this to government, a prosecution was directed to be carried on, at the suit of the crown, upon which he delivered the examinations into the hands of the crown solicitor. That, he heard and believed, that there were several soldiers sentenced to be whipped, by a court-martial, and that *Turner*, the first soldier, was afterward tried and convicted of an assault upon *Derham*. That, the several heads of examinations against the seven soldiers were taken upon oath, and that he would have had them reduced to a regular form, had he not learned that it was the pleasure of government they should be tried by the martial laws, and would have bound over the examnants, had he not been informed by government that they were to be tried by a court-martial. Being asked, what he meant by government, he answered, the Lord Chancellor. And agreed in the testimony of the officers, with respect to their giving security for the gaol being kept, but could not agree for the reasons aforesaid.

I believe you will, with me, judge it unnecessary to go minutely into the rest of the evidence laid before this committee; such as the depositions of a clerk of the crown, to shew the irregularity and impropriety of taking the original examinations out of the justices office, till they were returned to the proper court; or into that of one of your grand jurors, who shewed the true constitutional spirit of the grand jury, in inquiring for the examinations, which should have come before them, with the applause given them by the court, on one day, for their spirited constitutional conduct, or of the rebuke given them the following day for the same. You must have seen their loyal, just, and becoming representation to the court against the military outrages,
and

and the suppression of the examinations, which interrupted public justice, and the asserting the authority of the laws, and the civil magistrate; these, and some other like circumstances, in the report, which I am ready to produce, must have already fallen under the observation of most of you.

It is sufficient for me to remark, that such lawless and violent outrages were committed by the military against the civil power, as made the officers of the army blush, and bring the criminals as expeditiously as possible to make atonement, by trying and punishing them by due course of common law. But, that the chief magistrate, under the direction of government, gave up the offenders to be committed to a military prison, and to be tried and punished by the martial law, and so erected a military government, and a martial tribunal, upon the spoils of the civil government and constitution.

What has once been, may well be again. Look into all the nations of the world, ancient and modern, who have lost their liberty, and heaven knows how few have retained it, you will find none of them were completely enslaved till they raised a standing army, superior in strength to the civil power. Thus fell *Greece* and *Rome*. Thus are the several members of the *Germanic* empire become despotic. Thus *Spain*, with her *CORTES*, and *France* with her *STATES*, making as free a constitution as *Britain* can now boast, were reduced to, and will probably ever be kept in, abject subjection and slavery by mercenary troops, perhaps first raised under the specious pretence of defending and strengthening the civil power, but, in the end, fatally used to enslave and overturn it. And can any of you be insensible of the havock made by any army raised by the authority of parliament, to defend the people from the tyranny of one of their kings in *England*? Was not the civil and ecclesiastical establishment of three kingdoms overturned, and were not all reduced to anarchy and a military government? Can

Can any of you point out a single state in the world, in which liberty and a numerous standing army subsisted long together ?

You may, some of you, glance at *Britain*: let such remember, that that wise people would never suffer a barrack to be built among them, well knowing, that the more the soldiery are detached from civil society the greater ferocity they must contract, and the greater contempt for all laws and rules but those maintained by the sword. This is visible in the difference of the disposition and manners of the soldiers quartered upon, and those mixed with, the burghers, and those cooped up in barracks, in one place, military riots and outrages upon the civil power are rarely, if ever heard of, in the other, they are frequent.

Besides, the wise subjects of *England* have provided laws for the maintainance, regulation, and discipline of their army from year to year. And in these it is annually declared, that THE KEEPING UP A STANDING ARMY IN TIMES OF PEACE IS CONTRARY TO LAW; then the number necessary is declared, and limited by parliament. And in order to enable officers to keep up necessary strict discipline and to punish crimes against the establishment, preparatory to the inflicting clauses, there is this noble assertion of *British* liberty; WHEREAS NO MAN CAN BE FORE-JUDGED OF LIFE OR LIMB, OR SUBJECTED IN TIME OF PEACE TO ANY KIND OF PUNISHMENT, WITHIN THIS REALM, BY MARTIAL LAW, OR IN ANY OTHER MANNER, THAN BY THE JUDGEMENT OF HIS PEERS, AND ACCORDING TO THE KNOWN AND ESTABLISHED LAWS OF THE REALM, &c.

Have we made any declarations or provisions to these effects? Or, will those who contend that the *English* statute is in force here, of which number I am not, allow us to be included in these infranchising recitals? — There are no such pretensions.

Think

Think of these things, with your usual candour and judgement, and consider whether laws and provisions to these effects are not as necessary for this kingdom, as for the next.

I have now laid before you the states of the present and the proposed establishments. You see how burdensome and ill-managed the one is, and how intolerable the other.

Yet, let me repeat it, they are not the expences of either, as far as they may be found tolerable, that strike me, but the imminent danger, that, in some future time, for we can have no such suspicion of the present, some tyrannical prince or wicked minister, may easily overturn the constitution, and erase all traces of civil liberty, by the forces raised and maintained for their support and defence. And I do contend for it, in the instances of those military riots, in which it appears not that an individual offender was punished by the common law, that your constitution was suspended, if not for a time, perverted, from a civil, to a military government, and that, by the countenance, if not the positive direction, of your rulers.

Is this then a time to propose an augmentation of that power from which we have so lately suffered so severely, and from which we have so much to dread for ourselves and posterity? Let your cool heads and loyal hearts determine.

Had this been as fully and fairly represented to his majesty and the wise and loyal of his ministers, is it to be imagined that this dangerous and destructive scheme had been proposed? — No; no more than that royal thanks should be thrown away upon a certain officer, whose unforeseen and unexpected absence from his duty delayed the relief demanded by the chief magistrate.

Some may be taken with the lure thrown out, of an intention to keep no less than twelve thousand men constantly

stantly in this kingdom. This, indeed, may make the national expence more tolerable, but offers no security for civil liberty.

But, let those, with whom such considerations have any weight, consider the qualifying provision annexed; twelve thousand are to be kept at home, as far as is consistent with such a defence as the safety of both kingdoms, in case of any sudden or extraordinary emergency, may require.

Thus, the outwitted states of France thought they made an happy and certain security for their own power and the rights of the people, by enacting, that the subject should not be taxed, or have any money levied upon them, without the express authority of the states, adding this unfortunate salvo, *unless upon some extraordinary emergency.*

Who is to judge of this sudden or extraordinary emergency?—The King or the minister, to be sure. In their judgement, in France, an extraordinary emergency was never wanting. So that the King, or his minister, never since has found it necessary to call the states together: They create, and are judges of, the extraordinary emergency; so that the people are taxed at the discretion of the minister, in the name of the King, upon every emergency, which is reckoned extraordinary, while the subjects or states dare not complain or murmur, being kept in servile subjection by the military force, raised upon, and supported by, such pretended emergencies, which, in such a government, can never be wanting.

Wise, just, righteous and patriotic as our present gracious King and administration may be, what security have we that their successors, will always be adorned with the virtues of their predecessors? May not some future ambitious prince and crafty minister perpetually find out sudden and extraordinary emergencies to draw off those forces which you are to maintain, at an expence, which must unavoidably soon make your nation bankrupt; if the pay of these

troops was not spent at home, and which, if it should, may make you bankrupts in liberty, slaves, if they be kept at home?

Dreadful alternative! Either way, ruin and destruction, in my apprehension, stare you in the face. But, you are the best judges, and to your judgment I shall cheerfully submit.

In the last instructions, with which you honored and supported me, you recommended a militia bill, as the just and proper means to promote the natural defence and strength of the nation. But, three prerogative adjournments of the house of commons have prevented the passing that desirable law, which must have made this horrible augmentation unquestionably unnecessary.

After having zealously labored to promote the honor and interest of the king and his substitutes, as much as any man in my sphere, if not more; after laboring with unwearied, indeed, indefatigable industry and care in the common cause, and having promoted and introduced so many bills for the general good of the kingdom, and the particular advantage of this city; I cannot help lamenting that your choice of a representative has fallen upon so inconsiderable a person as me; since I find it has been made a point, with our rulers to suppress most of the bills by me introduced, and by order of the commons, by me presented to government, to be transmitted to his Majesty.

However unworthy I may be found, this is an error in our legislative polity which the representative body of the nation cannot be supposed to bear long. If there be any power which can presume to cut off the necessary, essential and fundamental intercourse, between the second and third estate, with the first, on which the very existence of parliament depends, our government cannot be said to exist.

The King can refuse no petition from a subject. His substitutes are his subjects, and therefore cannot be greater than

than him. If your petitions are not received, you have just cause to complain, and are intitled to redress. And this cannot be denied you, while you have the spirit to insist upon your right.

Every bill from either house of parliament is a petition to the king, and there neither is or can be any man, or body of men, who dare interpose and stop the necessary free and frequent intercourse between the king and his parliament, unless lawless force overturns the constitution.

Now, MY GOOD LORD MAYOR, and YOU MY WORTHY FELLOW CITIZENS, FRIENDS, and CONSTITUENTS, take these matters into your serious and prudent consideration. Examine the whole with your usual penetration and judgement. Put my conduct to the nicest and strictest test. With pride, I confess myself your servant, subject to your admonition, and ready to receive and observe your instructions.

Excuse the irregularity of the sketch I lay before you. Time, the state of my health, and numberless unavoidable avocations, could not admit of making it more correct and perfect. I throw it out thus, as a *word to the wife*. If it appears, as I fear it must, very defective, you will humanely accept the Will for the Deed, and, by your wisdom, supply my defects.

Consider the weight of debt under which your poor country labors. Consider the state of the present burdensome and ill-managed, military establishment. Consider the consequences of increasing that establishment, under which the civil government was so lately suspended, or rather overturned. Consider the immediate additional burden of near seventy thousand pounds, and the burden of almost forty thousand pounds a year, to be laid upon a wretched country, sunk already almost irretrievably in debt. Consider what you have already suffered under your present forces, though made up of about one third officers, who

who are generally gentlemen of respectable families and connexions, and some of them, natives. And consider what may hereafter be the consequence, when the proportion of officers is smaller, and these perhaps not of rank, characters, or qualifications equal to the present.

You must always remember, that **STANDING PARLIAMENTS** and **STANDING ARMIES** have ever proved the most dangerous enemies to civil liberty. By your virtuous applications, seconded by the universal voice of the nation, you have happily got shut of the former. You are now called upon to oppose your weight to the latter, which is by no means the least terrible.

I have presumed, briefly to lay the state of these matters, with my sentiments upon them, thus open to your view. Your penetration and sagacity, and public spirit, may, and I hope, will lead you further. I shall wait with impatience for the fruit of your deliberation. And as I pretend to no weight or consequence, but what I derive from you, I flatter myself, your unwearied attachment to the honor and dignity of the crown, your patriot regard to the true interest, freedom, and happiness of your country and city, will be manifested in your instructions, to

My LORD and GENTLEMEN,

Your most faithful,

Most affectionate,

Most obedient, and most devoted

Representative and Servant,

5 OCT 59 G. L. U. C. A. S.

P. S. This important question comes on in the house, on Monday next.

Dublin, Henry-Street,
April 21, 1768.